

ORDINANCE 2023-10
VILLAGE OF MISHICOT

AN ORDINANCE TO AMEND SECTIONS 190-2, 190-4 AND 190-6 OF THE CODE OF THE VILLAGE OF MISHICOT REGARDING FIRES AND FIRE PREVENTION.

It is hereby ordained by the VILLAGE OF MISHICOT, Manitowoc County, Wisconsin, as follows:

§ 190-2 Permit required; exceptions; application for permit.

A. Permit required.

- (1) Except as set forth herein, no person shall kindle or maintain any outdoor fire or open burning without having first obtained a permit from the Police Chief, Village Clerk or designee. During construction or demolition of buildings or structures, no material shall be disposed of by burning on the premises or in the immediate vicinity thereof without having first obtained a permit from the Police Chief, Village Clerk or designee.
- (2) Notwithstanding the foregoing, no permit is required for kindling or maintaining a small campfire on private property, a fire confined to a fire pit no larger than four feet in diameter, or an outdoor cooking fire for personal use; provided, however, that the remaining terms of this article shall apply to such fires.
- (3) The kindling or maintaining of a fire for the purpose of land clearing requires a permit as provided herein.

- B. Permit application.** Application for a permit shall be made in writing to the Police Chief, Village Clerk or designee and shall identify the address of the property, the name of the person in charge, the location of the proposed fire, and the date and time of the fire. All applications shall be submitted at least 24 hours prior to the proposed burning. A person responsible for supervision shall sign each application.

§ 190-4 Materials for burning; permitted hours.

Materials for burning shall consist of dry material only. The Police Chief, Director of Public Works of the Village or their designee may approve the burning of material in a private incinerator or other approved area or device provided it does not violate § 190-7. The use of flammable or combustible liquids to ignite any fire, or for any other purpose in connection with such fire, is deemed to be a safety hazard and is prohibited. Any type of open burning except those listed in § 190-3A, B or C shall not occur within 100 feet of any building or structure. The burning of material as defined in this section must occur between the hours of 7:00 a.m. and 7:00 p.m. This approval shall not include any burning listed under § 190-7.

§ 190-6 Enforcement.

- A.** The Police Chief or designee may prohibit any or all bonfires, outdoor fires, and outdoor burning when, based on atmospheric conditions or other local circumstances, such fires would create unsafe or hazardous conditions or tend to create a public safety hazard.
- B.** Upon receipt of a complaint regarding smoke or ash residue infringing on a person or adjacent property, the Police Chief, Director of Public Works or designee, or the Village President may require that such fire be immediately extinguished.

This ordinance shall take effect the day after posting.

Passed and adopted this 6th day of June, 2023.

Vote For: 6 Vote Against: 0 Not Voting: 1

Signed by: Bernie J. Samz Date: 6/6/23
Bernie J. Samz, Village President

Attest: Kathy Reissmann Date: 6/6/23
Kathy Reissmann, Village Clerk-Treasurer

Date adopted: 6/6/23
Date posted: 6/7/23
Date effective: 6/8/23